

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

KENDRICK R. MARTIN

Plaintiff,

v.

SCOTT WILKES, Head Warden; ANTONIO
ROSS, Sergeant over CERT; and SERENA
CHANCE, Lieutenant, Individually and in
their Official Capacities,

Defendants.

CV 117-127

ORDER

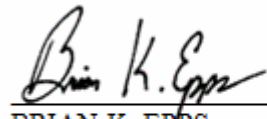
On December 4, 2017, the Court granted Plaintiff, an inmate at Augusta State Medical Prison in Grovetown, Georgia, permission to proceed *in forma pauperis* (“IFP”) conditioned on his return of a Prisoner Trust Fund Account Statement and Consent to Collection of Fees from Trust Account forms. (See doc. no. 17.) Although the deadline for return of these forms has not yet passed, Plaintiff has complained to the Court that prison officials will not complete the Prisoner Trust Fund Account Statement he provided to them. (See doc. no. 19.) Plaintiff has no explanation for why he has not returned the Consent to Collection of Fees from Trust Account form, a document requiring no input from any prison official.

Plaintiff cannot proceed IFP unless he submits the requisite Prisoner Trust Fund Account Statement and consents to the collection of the entire \$350.00 filing fee in installments. Wilson v. Sargent, 313 F.3d 1315, 1319-20 (11th Cir. 2002). Plaintiff shall have until January 16, 2018,

to submit the required Prisoner Trust Fund Account Statement signed by an authorized prison official and a Consent to Collection of Fees from Trust Account form signed by Plaintiff.¹ Failure to return the required paperwork will be an election to have this case dismissed without prejudice.

To ensure prison officials have received the Prisoner Trust Fund Account Statement, the Court **DIRECTS** the **CLERK** to serve this Order on Plaintiff's custodian and to include a Prisoner Trust Fund Account Statement with that service copy. The Court is confident prison officials will expeditiously fill out the form and return it to Plaintiff. Plaintiff must then return the Prisoner Trust Fund Account Statement, along with the Consent to Collection of Fees from Trust Account form, to the Court by no later than January 16, 2018.

SO ORDERED this 22nd day of December, 2017, at Augusta, Georgia.


BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹The Court **DIRECTS** the Clerk to attach a copy of the Prisoner Trust Fund Account Statement form and the Consent to Collection of Fees from Trust Account form to Plaintiff's service copy of this Order.